

To establish, ensure and maintain an equitable and credible merit system for public service for the citizens of San Francisco. As such, the Commission vision is that the San Francisco Civil Service Commission sets the new national standard for excellence in personnel management through an effective, fair and modern system that recognizes and builds on the diversity, skills and dedication of public employees, and consistently provides the best-qualified candidates for public service in a timely and cost-effective manner.

MERIT PRINCIPLES

PERFORMANCE AND CAREER DEVELOPMENT

The Civil Service Commission has established the Civil Service Adviser to enhance delivery of information employment issues and the merit system of County of San Francisco. The Commission is the 100th year in serving San Francisco, the Commission reaffirms its mission to maintain an equitable and fair system for public employees. The Commission sets the national standard for personnel management, fair and modern merit system that recognizes and builds on the well-earned knowledge of a diverse work force of

The merit principle of the City's personnel system is based on competition so that all candidates for appointment or promotion have equal opportunity for a job or for advancement. The Civil Service Commission is reminding each manager of its long-standing policy to:

- Provide information on improving current job skills.
- Include a career development discussion in the performance appraisal process.
- Encourage employee initiative in obtaining additional education and training to improve current job performance and enhance promotional opportunities.
- Advise of tuition reimbursement programs covered by a Collective Bargaining Agreement for certain classifications.
- Encourage involvement in appropriate educational and/or professional associations.

Thank you for your assistance and cooperation. Please call Kate Favetti at 252-3247 if you have questions or need additional information.

opportunities for training and advancement — as well as regular performance appraisals — are essential steps in reaching the Commission's goals for high-quality public service.

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The San Francisco Civil Service Commission

Adrienne Pon, President
A. Lee Munson, Vice President
Karen Clopton, Member
George Kosturos, Member
Rosabella Safont, Member
Kate Favetti, Executive Officer

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MERIT PRINCIPLES

PERFORMANCE AND CAREER DEVELOPMENT

Civil Service Adviser

The Civil Service Commission has established the Civil Service Adviser to enhance delivery of information on important employment issues and policies affecting the merit system of the City and County of San Francisco. As the Commission approaches its 100th year in serving the citizens of San Francisco, the Commission reaffirms its mission to ensure and maintain an equitable and credible merit system for public service. As such, the Commission envisions a new national standard for excellence in personnel management through an effective, fair and modern merit system that recognizes and builds a foundation on the well-developed skills and knowledge of a dedicated and diverse work force of public employees.

Employee opportunities for training and advancement — as well as regular performance appraisals — are essential steps in reaching the Commission's goals for high-quality public service.

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San Francisco Civil Service Commission
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The Civil Service Commission has established the Civil Service Adviser to enhance delivery of information on important employment issues and policies affecting the merit system of the City and County of San Francisco.

Appeals to the Civil Service Commission

Does Everything Stop When An Appeal Is Filed?

This issue of the Civil Service Adviser responds to this and other questions on appeals to the Civil Service Commission and their affect on Human Resources and departmental operations.

WHAT IS AN APPEAL TO THE CIVIL SERVICE COMMISSION?

An appeal is a request to review an administrative action taken by the Human Resources Director or the Executive Officer of the Civil Service Commission. The appeal process serves as a check and balance of the merit system. The decision of the Civil Service Commission on appeals is final.

WHAT ACTIONS MAY BE APPEALED?

There are generally five types of appeals:

1. examination matters (procedural issues)
2. decisions by either the Human Resources Director or the Civil Service Commission Executive Officer pertaining to allegations of discrimination, classification matters, certification issues, etc.
3. future employment restrictions recommended by the Department Head or Human Resources Director
4. personal services contracts
5. employee compensation matters as authorized by the City Charter

HOW ARE ACTIONS APPEALED?

Appeals must be filed in writing and submitted to the Executive Officer, Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 within the time frames specified in the Civil Service Commission Rules.

WHAT HAPPENS WHEN AN APPEAL IS FILED?

The Civil Service Commission notifies the Human Resources Department, sends a copy and tentatively schedules a hearing before the Civil Service Commission. The Charter provides that no action of the Human Resources Director shall be stayed unless by majority vote of the Civil Service Commission. Appeals should be investigated and resolved in a timely manner--resolution may include a presentation and recommendation to the Civil Service Commission. Examination, classification, or hiring activities should not stop because an appeal is filed unless the Department of Human Resources or the Civil Service Commission issues explicit instructions to cease.

The appeal process allows an individual a hearing before an independent body--the Civil Service Commission. The appeal process is not meant to hinder or impede vital city services or administrative work of departments.

Although there is no hard and fast rule, appeals should be resolved or staff reports submitted to the Civil Service Commission within thirty (30) business days.

Should you require information on the Civil Service Commission Rules Policies and Procedures relating to hearings, meetings, staff reports, or other pertinent items, please contact either Kate Favetti, Executive Officer or Anita Sanchez, Assistant Executive Officer at (415) 252-3247.

Civil Service Adviser



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Out of Class Assignments

Civil Service Adviser

CIVIL SERVICE COMMISSION RULES AND POLICY REMINDER

Consistent with Civil Service Commission Rules and long standing policy and practice, the Civil Service Commission is again reminding all department heads, personnel officers, managers, supervisors, and employees that out of class assignments must be properly documented.

Civil Service Commission Rules and policy require that out of class assignments must be recorded and placed in the personnel file contemporaneous with the assignment. Assignments that are not recorded in accordance with this policy will NOT be credited as experience in examinations.

RIGHT OF ASSIGNMENT

Department heads have very broad discretion in the assignment of employees. However, work assignments of employees under the authority of the department head must be consistent with the kind of duties and level of responsibility of the employee's class (job code). These assignments, although consistent with the class (job code), may not always be listed in the class specification.

WHO IS RESPONSIBLE?

Both management and employees have responsibility to see that the assignments of out-of-class job duties are correctly documented and placed in the personnel file.

COLLECTIVE BARGAINING AGREEMENTS

Collective Bargaining Agreements (CBA) may have provisions on the compensation of out-of-class assignments. The provisions in Collective Bargaining Agreements are limited solely to compensation.

QUALIFICATIONS DETERMINED

The Human Resources Director/designee is responsible for reviewing the duties performed and appropriate documentation to make a judgment on an individual's qualifications and any credit that may be applied toward examinations. This decision is subject to appeal to the Civil Service Commission.

QUESTIONS?

EMPLOYEE RELATIONS DIVISION	557-4990
MERIT SYSTEM SERVICE	557-4923
RULES/ACTIVE APPEALS - CSC	252-3247



The San Francisco Civil Service Commission

Karen Clopton, President

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ALERT!!! ALERT!!! ALERT!!! ALERT!!! ALERT!!! ALERT!!! ALERT!!!

MAJOR CHANGES IN SICK LEAVE ENTITLEMENTS

This is to notify Appointing Officers, Personnel Officers, Employees and Employee Organizations that Governor Gray Davis signed into law amendments to the California State Labor Code - Section 233, affecting public and private employers alike. The Law, which becomes effective on January 1, 2000, requires employers who provide sick leave for employees to permit an employee to use in any calendar year, up to one half the employee's accrued and available sick leave entitlement to attend to the illness or medical appointment of a child, parent, or spouse of the employee.

The law provides that all conditions and restrictions placed by the employer upon the use by an employee of sick leave shall also apply to the use of sick leave by an employee to attend to illness of his or her child, parent or spouse.

However, the Law prohibits an employer from denying the use of sick leave or from discharging, threatening to discharge, demoting, suspending or in any manner discriminating in the terms and conditions of employment against such an employee for exercising these rights.

HOW DOES THIS AFFECT EMPLOYEES COVERED BY CIVIL SERVICE COMMISSION RULES ON SICK LEAVE?

Employees covered by Civil Service Commission Rules governing sick leave are

covered by this benefit. The Rules currently allow employees to utilize sick leave for illness or medical appointment of a child. Employees shall now be allowed to utilize sick leave to attend to an illness or medical appointment of a parent or spouse of the employee. Amendments to the Civil Service Commission Rules will be issued shortly to reflect these changes.

HOW DOES THIS AFFECT EMPLOYEES WHOSE SICK LEAVE ENTITLEMENT IS COVERED BY A COLLECTIVE BARGAINING AGREEMENT?

The amendments to Labor Code Section 233 supercede any collective bargaining agreement.

CITY POLICY ON DOMESTIC PARTNERS

Consistent with City policy on domestic partners, employees shall be allowed to utilize sick leave to attend the illness or medical appointment of the employee's domestic partner. Civil Service Commission rules will be issued shortly to reflect these changes.

QUESTIONS?

Department Of Human Resources

Employee Relations Division 557-4990
Internal Services 557-4849

Civil Service Commission 252-3247

Civil Service Adviser



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RELEASE FROM PROBATIONARY PERIOD

DOES AN EMPLOYEE RELEASED FROM ENTRANCE PROBATIONARY APPOINTMENT HAVE RETURN RIGHTS?

ISSUE:

Does an employee have return (reversion) rights if released from an entrance probationary appointment.

INTENT OF CIVIL SERVICE COMMISSION:

It is and has been the Civil Service Commission's intent that an employee released for NON-disciplinary reasons from an appointment which represents a promotional opportunity, has return rights to a position in the class (job code) which the employee on a permanent basis immediately prior to appointment in the class (job code) from which released.

WHEN IS AN APPOINTMENT CONSIDERED PROMOTIVE UNDER THE PROBATIONARY PERIOD RULE?

Under the revised (March 16, 1998) Probationary Period Rule, promotional opportunities arise when the new appointment is to a new class requiring additional education, minimum qualifications, or experience, or when the new appointment is accompanied by an increase in salary.

Specific examples of these situations could include an employee appointed permanent civil service to a position in a class in another occupational series; a move from Locksmith or Carpenter to Personnel Analyst; or a move from a Licensed Vocational Nurse to Registered Nurse. Appointments in these categories are from eligible lists established

through examinations that result in "entrance" eligible lists and "entrance" appointments. These applicants, once appointed, are not "entrance" employees in the pure sense of the word as they are not "new" employees to the City service.

WHAT DOES THIS MEAN?

This means that even if the appointment is technically from an entrance eligible list, the employee shall revert back to a position in the class which the employee held on a permanent basis immediately prior to appointment in the class from which released. Any break in service automatically disqualifies an employee from obtaining return rights.

APPEAL RIGHTS:

In all cases, the decision of the department head to release an employee during the probationary period is final. An employee released from a probationary appointment for non-disciplinary reason has automatic reversion rights, but no appeal rights to the Civil Service Commission. An employee released for disciplinary reasons does not have automatic return rights. The department head's recommendation on future employment with the City is subject to appeal to the Civil Service Commission.

QUESTIONS:

Civil Service Commission 252-3247

Department Of Human Resources 557-4923
Merit System Services

The San Francisco Civil Service Commission

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REAPPOINTMENT

A frequent question that is asked is: "What are the sick leave, vacation, examination and seniority rights of employees who return to City service following reappointment?"

WHAT IS REAPPOINTMENT?

Reappointment is the return to a vacant position of a former permanent civil service employee who has successfully completed probationary period without taking another civil service examination for the class (job code). Unless otherwise ordered by the Civil Service Commission, only those who have resigned in good standing may request reappointment within four years (two years for Police and Fire) of the effective date of the resignation. Requests may only be made to classes (job code) in which the former employee has successfully completed the probationary period.

WHAT ARE THE SICK LEAVE BENEFITS FOR EMPLOYEES WHO ARE REAPPOINTED?

An employee who is reappointed within six months of the effective date of resignation will have all sick leave with pay credits and eligibility to use these credits returned. This provision is found in Civil Service Commission Rule 20.8. This provision may also be included in some Collective Bargaining Agreements. First check the employee's classification to determine union representation, then refer either to the applicable CBA or the Civil Service Commission Rules.

WHAT ARE THE VACATION BENEFITS FOR EMPLOYEES WHO ARE REAPPOINTED?

An employee who is reappointed within six months of the effective date of resignation will have eligibility to earn vacation credits

returned. This provision is found in Administrative Code Section 16.11 - Calculations of Vacations.

WHAT ARE SENIORITY RIGHTS FOLLOWING REAPPOINTMENT?

Civil Service Commission Rule 14 - Reappointment states that individuals who are reappointed enter the service as a new appointee. This means that seniority for the purpose of layoff is determined by the certification date of the reappointment. There is no credit for prior service.

WHAT ARE EXAMINATION RIGHTS FOLLOWING REAPPOINTMENT?

Employees on a "promotive only" eligible list, who separate from city service, are removed from that eligible list. Employees on a combined promotive and entrance eligible list that separate have all promotive points removed and their ranks reduced accordingly. If reappointed and if the eligible list has not expired, upon written request and with the approval of the Human Resources Director, the promotive points may be restored. The person may be returned to the eligible list or have previous rank restored. This provision is found in Civil Service Commission Rule 12-Maintenance of Eligibility

QUESTIONS:

Department Of Human Resources Merit System Services	557-4923
Department of Human Resources Employee Relations Division	557-4990
Department of Human Resources Internal Services	557-4849
Civil Service Commission	252-3247

Civil Service Adviser



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OUT-OF-CLASS ASSIGNMENT

POLICY REMINDER

Consistent with Civil Service Commission Rules and long standing policy and practice, the Civil Service Commission is again reminding all department heads, personnel officers, managers, supervisors, and employees that out-of-class assignments must be properly documented.

AUTHORITY

The Civil Service Commission has Charter authority to establish Rules and policy on the merit system including but not limited to Examination and Classification.

MERIT SYSTEM PRINCIPLE

Woven through the civil service system is the principle of promotion based on merit. Appropriate documentation of out-of-class assignments demonstrates merit through qualification for examination and consideration for appointment from an eligible list following successful completion of the examination process.

RIGHT OF ASSIGNMENT

Department heads have very broad discretion in the assignment of employees. However, work assignments of employees under the authority of the department head must be consistent with the kind of duties and level of responsibility of the employee's class. These assignments, although consistent with the class, may not always be listed in the class specification.

TEMPORARY OUT-OF-CLASS ASSIGNMENTS

The Civil Service Commission establishes the definition and policy on temporary out-of-class assignments. The Department Head/Designee may make a temporary out-of-class assignment to maintain the provision of any public service. This means the assignment of an employee without change in class to perform the day-to-day duties and responsibilities of another class.

DOCUMENTATION REQUIRED

Civil Service Commission Rules and policy require that out-of-class assignments must be recorded and placed in the personnel file at the same time (**contemporaneous**) the assignment is made. When the required documentation is not placed in an employee's file, employees who at the direction of their supervisor or manager "step up to the plate" to perform the duties of another classification are seriously penalized. Assignments that are not recorded in accordance with this policy will NOT be credited as qualifying experience in examinations. Both managers and employees have responsibility to see that the assignments of out-of-class job duties are correctly documented and placed in the personnel file.

QUALIFICATIONS DETERMINED

The Human Resources Director/Designee is responsible for reviewing the duties performed and appropriate documentation to make a judgment on an individual's qualifications and any credit that may be applied toward examinations. This decision is subject to appeal to the Civil Service Commission.

CLASS/JOB CODE

The Charter/Civil Service Commission term "class" or "classification" is used interchangeably with the Department of Human Resources term "job code" and defined as a position or group of positions for which a common descriptive job title may be used.

QUESTIONS:

Department Of Human Resources:	
Merit System Services	557-4923
Employee Relations Division	557-4990
Internal Services	557-4849
Equal Employment Opportunity	557-4832
Civil Service Commission	252-3247



CONGRATULATIONS!

The Commission is pleased to recognize **Alan Whiteside**, Senior Microphoto/Imaging Technician on receiving the Department of Building Inspection's Employee of the Year Award. Mr. Whiteside is known for his initiative in performing above and beyond the call of his regular duties. His dedication and responsiveness to customers make him an asset to his division and the department. The Commission is grateful for the credit Alan Whiteside brings to public service.

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WHAT IS THE MERIT SYSTEM?

"The Merit System of making appointments is in its essence as democratic and American as the common school system itself."
Theodore Roosevelt - 26th President of the United States.

WHAT IS THE MERIT SYSTEM AND HOW IS IT ADMINISTERED IN THE CITY AND COUNTY?

In response to a burst of public outrage during the late 1800's, civil service was established as a path to "good government."

Civil service, also known as the merit system, was created to assure that the recruitment and retention of a qualified work force, and, the selection and promotion of employees providing public services and compensated by tax dollars is conducted in a fair and impartial manner and in a competitive fashion.

Today's increased public demand for accountability, high performance and ethical standards require a visible, objective public personnel process provided by a merit system. The City's merit system, administered by the Civil Service Commission, was first established by voters in the 1900 Charter. The Charter approved by voters in 1996 reinforces the merit system under the jurisdiction of the Civil Service Commission and delineates the merit system responsibilities of the City's Personnel Department - the Department of Human Resources.

The Civil Service Commission is responsible for the establishment of Rules, policies and procedures and the hearing of appeals. The Human Resources Department implements the merit system through the administration of its examination, classification and merit system programs.

The Civil Service Commissioners serve six-year terms. The Charter requires Civil Service Commissioners and the Human Resources Director to make a declaration upon their appointment opposing appointments to public service as a reward for political activity.

THE CITY'S MERIT SYSTEM PRINCIPLES

The principles of the City's merit system include:

- 1) recruitment, employment, retention and promotion of employees on the basis of qualifications and performance; and, 2) high

performance and ethical standards, consistent with hiring the best-qualified individual who has successfully completed the examination process, placed on an eligible list and completed the probationary period. It is the goal and policy of the Civil Service Commission to provide fair treatment of applicants in all aspects of employment without regard to race, religion, national origin, ethnicity, age, disability, gender identity, political affiliation, sexual orientation, ancestry, marital or domestic partnership status, parental status, color, medical condition, and otherwise prohibited nepotism or favoritism.

WHAT IS THE SCOPE OF THE CITY'S MERIT SYSTEM?

The scope of the merit system of the City and County of San Francisco is defined as examinations; eligibility; duration of eligible lists; certification of eligibles; appointments; promotions; transfers; resignations; lay-offs or reduction in force, both permanent and temporary, due to lack of work or funds, retrenchment or completion of work; the designation and filling of positions, as exempt, temporary, provisional, part-time, seasonal or permanent; classification; status and status rights; probationary status and the administration of probationary periods, except duration; pre-employment and fitness for duty medical examinations, except for the conditions under which referrals for fitness for duty examinations will be made, and the imposition of new requirements; conflict of interest; definition; administration and other merit system matters not in conflict with the Charter.

QUESTIONS:

Department Of Human Resources:	
Merit System Services	557-4923
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CONGRATULATIONS!

To the Department of Human Resources award recipients in the categories of Outstanding Performance, Leadership, Customer Service, Team Excellence, Unsung Heroes, and Human Resources Director's Award. You all do us proud!!



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APPEALS AND HEARINGS OVERVIEW

The San Francisco Charter charges the Civil Service Commission with the responsibility of establishing Rules, policies, and procedures to carry out the merit system in the City and County of San Francisco. The Charter also provides that a major function of the Commission is to consider merit system appeals. Consideration of appeals is not meant to hinder or impede vital city services or administrative work of departments but to provide a mechanism for the Commission to monitor the status of the merit system and to serve as a check and balance by hearing and resolving merit system issues in a public forum before an independent public body--the Civil Service Commission.

WHAT IS AN APPEAL?

An appeal is a request to review the decision made on a merit system issue by the Human Resources Director or Director of Transportation on matters related to Service-Critical classifications at the Municipal Transportation Agency or the Executive Officer, Civil Service Commission. Appeals may also be filed on a recommendation made by the appointing authority/department head on future employment restrictions following separation.

Appeals are distinguished from protests: A *protest* is a complaint filed on or after proposed action or examination matter and is considered to be a request for a first level of review. Unless otherwise stated in the Rules, a decision on a protest is an administrative action that may be appealed to the Civil Service Commission.

Appeals are distinguished from grievances: A *grievance* is a mechanism to resolve issues covered by a collective bargaining agreement on *non-merit system* matters.

Civil Service Commission Rules specify what matters may be appealed and provide the timeframes for filing appeals. There are generally five types of appeals: 1) examination matters; 2) personal services contracts; 3) other matters, such as classification issues or employment discrimination; 4) future employment restrictions, and, unless otherwise covered in a collective bargaining agreement - automatic resignation; and, 5) on a very limited basis - employee compensation matters.

WHO CAN FILE AN APPEAL?

Applicants, employees, advocates, employee organization representatives, departmental representatives, taxpayers or any interested party may file an appeal.

HOW ARE ACTIONS APPEALED?

Civil Service Commission Rules, Policies, and Procedures require that instructions on how to file an appeal and deadlines for filing be included in public postings as well as any correspondence to affected individuals and, when applicable, their representative or advocate.

Appeals must be filed in writing and submitted to the Executive Officer, Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 within the time frames specified in the Civil Service Commission Rules. Appeals may also be filed by fax - (415) 252-3260 followed by an original signed copy submitted to the Commission office. A Request to Appeal form is available on the Civil Service Commission website (www.sfgov.org/civil_service) and in the Civil Service Commission office. Appeals may not be filed by E-mail.

WHAT HAPPENS WHEN AN APPEAL IS FILED?

The Civil Service Commission staff acknowledges receipt of the appeal by letter and notifies the Human Resources Director or the Director of Transportation, MTA. Commission staff transmits the appeal and sets a tentative hearing date before the Civil Service Commission.

The appeal is reviewed to determine if it is timely. Following investigation, if the material submitted in the appeal is or additional information presented warrant granting the appeal or changing the administrative action taken, the Department of Human Resources or Municipal Transportation Agency notifies the Civil Service Commission staff and the case is closed.

Should the investigation indicate that the appeal is timely and subject to the jurisdiction of the Civil Service Commission and there is no evidence presented that would cause a change in the administrative action taken, then a staff report is prepared with a recommendation for action and forwarded to the Executive Officer, Civil Service Commission.

The Charter provides that no action of the Human Resources Director shall be stayed during the appeal process except by majority vote of the Civil Service Commission. Examination, classification, or hiring activities do not stop because an appeal is filed unless the Human Resources Director or the Civil Service Commission issues explicit instructions to cease. Appeals should be investigated and resolved in a timely manner--resolution may include a hearing before Civil Service Commission. However possible, appeals should be resolved. Staff reports submitted to the Civil Service Commission for hearing within sixty (60) days. However, more important than meeting a sixty (60) day target for submission to the Civil Service Commission is a thorough, fair and objective investigation. Issues that also affect the scheduling of hearings are: matters that may be subject to grievance procedures that must be resolved prior to a hearing; availability of appellants and advocates; staff resources; discussions between the parties on possible resolution; and investigation of additional information submitted or discovered.

CIVIL SERVICE COMMISSION HEARING

Civil Service Commission hearings on appeals are scheduled at its Regular meetings. The meetings are public and conducted under Robert's Rules of Order and in accordance with the Sunshine Ordinance, Brown Act and other public meeting laws.

When a staff report is received in the Commission office and approved for hearing, staff notifies the appellants, appellant advocates, City staff and other parties in writing. Additional information to be considered by the Civil Service Commission must be received by close of business six (6) days before the hearing. Commission meeting materials are delivered to Commissioners four (4) days prior to the scheduled hearing.

Requests to postpone the hearing may be filed by either party in advance of the meeting of the Civil Service Commission. The Executive Officer, Civil Service Commission may administratively approve a reasonable request in advance of the hearing. Requests to postpone may also be heard and acted upon by the Civil Service Commission at its meeting.

At the hearing, departmental representatives present their case to the Civil Service Commission first, then the appellants present their case. The Civil Service Commission considers the written submissions and the oral testimony by the parties and makes a decision. The Commission may request additional information, requiring a postponement of the appeal to another meeting. The Commission's decisions are public and made when the matter is heard. Should an appellant not appear, the Commission acts on the matter based on the written materials submitted.

When taking an action, the Civil Service Commission may uphold, modify or reject the recommendation on the staff report. In all cases, the decision of the Civil Service Commission is final and has the force and effect of law.

QUESTIONS:

Department of Human Resources:	
Merit System Services	557-4923
Employee Relations Division	557-4990
Internal Services	557-4839
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Rosabella Safont, Commissioner
Kate Favetti, Executive Officer



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REINSTATEMENT

WHAT IS REINSTATEMENT?

One of the benefits of attaining permanent civil service appointment to a position in a classification is that an employee gains status. "Reinstatement" provided for in Civil Service Commission Rule Series 14 is an example of this benefit. Reinstatement is the ability to return to a position in any former class where the employee had permanent civil service status without having to take another examination.

An employee may request to reinstate at any time during an active career with the City & County service to a vacant position where there is an approved requisition in any class where the employee was appointed permanent civil service and successfully completed the probationary period. There is no limit on the number of times an employee may reinstate to any position where the employee was previously appointed on a permanent basis. However, in each case the approval of the appointing officer is required.

HOW DOES REINSTATEMENT DIFFER FROM REAPPOINTMENT?

Employees who resign the City & County or School/College District service with services designated as satisfactory may return within four (4) years (two (2) years for the Uniformed Ranks of Police and Fire) following their resignation without taking an examination and ranking on an eligible list. The return of an employee to City and County or School/College District employment after a complete separation, in this case, is called "Reappointment" (see Civil Service Adviser #7, March 2000).

In contrast, eligibility for reinstatement requires that an employee be an active current employee, with civil service status in a class.

WHAT DOES AN EMPLOYEE NEED TO DO TO REINSTATE?

An employee may respond to a job bulletin or may request reinstatement to a position in a department where the employee is interested in working. Should there be a vacant approved requisition, the appointing officer may approve or disapprove a request for reinstatement. The decision of the Appointing Officer is final. The requesting employee is required to complete a form called "Request for Reinstatement" available through the departmental human resources division or through the Department of Human Resources, 44 Gough Street.

WHAT HAPPENS TO AN EMPLOYEE'S BENEFITS WHEN REINSTATED?

When an employee reinstates, there is no break in service.

The employee remains an active employee and receives benefits - health, retirement, sick leave credits, vacation accrual rates and credits consistent with the applicable collective bargaining agreement covering the classification to which the employee is reinstating. When reinstated, the employee regains the original citywide seniority date in the reinstated class. However, departmental seniority used to bid for shifts, days off, vacation, etc. is governed, in most cases, by the collective bargaining agreement and may or may not be carried forward.

IS A NEW PROBATIONARY PERIOD REQUIRED?

Employees who reinstate to a new department are required to serve a new probationary period. Employees who reinstate to a former department where the probationary period was successfully completed will not be required to serve a new probationary period.

CAN AN EMPLOYEE BE INVOLUNTARILY REINSTATE?

Generally, employees can not be involuntarily reinstated - but there are exceptions - most notably, in the event of layoff. Employees who are laid off and not eligible for appointment in their current class (no vacancies/least senior) may be reinstated to a position in a class previously held on a permanent basis even if the probationary period was not completed.

Under other circumstances, an employee may be reverted to a position in a classification where the employee previously held permanent status. For example, an employee may be reverted to permanent civil service appointment in a previously held class following release from a promotive probationary appointment. Although reversion is often thought of as involuntary reinstatement, it is actually covered under the Rules on Probationary Period-Rule Series 17 (see Civil Service Adviser # 6, January 2000).

Another example is an employee returning from leave after serving in a provisional or exempt appointment in another classification. An employee may, with the approval of the appointing officer take leave from a permanent civil service appointment to accept a provisional or exempt appointment in another class for the duration of the appointment. Once the exempt or provisional appointment has ended, the employee returns to the former class and department possibly bumping a less senior employee. Although this action is sometimes called "Reinstatement," it is actually covered under the Rules on Position Classification-Rule Series 09, Leaves-Rule Series 20 and Layoff-Rule Series 21.

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QUESTIONS:

Department Of Human Resources:
Merit System Services 557-4923
Employee Relations Division 557-4990
Internal Services 557-4849
Equal Employment Opportunity 557-4832

Civil Service Commission 252-3247



